

Message Text

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LIMITED OFFICIAL USE BUCHAREST 5020

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SUBJ: INFORMATION ON EAST EUROPEAN CRIMINAL JUSTICE PROCEDURES

REF: STOCKHOLM 4947

1. CAPITAL PUNISHMENT IS RPT IS OCCASIONALLY APPLIED FOR ECONOMIC
CRIMES IN ROMANIA, BUT SPARINGLY -- USUALLY AS OBJECT LESSON
WHEN CORRUPTION HAS BEEN SEEN TO EXCEED EVEN USUAL BALKAN NORMS.

2. FOR EXAMPLE, ION TUDORA, A SECTION CHIEF AT ROMANIAN EXPORT
IMPORT FIRM "IMAGREX" WAS CONVICTED AND EXECUTED IN OCTOBER
1973 FOR "UNDERMINING THE NATIONAL ECONOMY" BY FAVORING CERTAIN
FOREIGN FIRMS IN THE CONCLUSION OF CONTRACTS FOR IMPORT OF
AGRICULTURAL IMPLEMENTS. TUDORA WAS ALLEGED TO HAVE ILLEGALLY
RECEIVED GOODS VALUED AT TWO MILLION LEI. IN 1971, MINOR FOOD
STORE OFFICIAL DEZIDERIU SEBESTYEN RECEIVED DEATH SENTENCE FOR
EMBEZZLING 4.6 MILLION LEI.

3. ALEXANDRU NICOLAU, DIRECTOR GENERAL OF FIRM "ROMCHIM" WAS
REMOVED IN LATE 1974 FOR UNDISCLOSED ECONOMIC AND/OR MORAL LAPSES,
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AND WAS RUMORED TO HAVE BEEN EXECUTED. OUR LATEST REPORT IS THAT

HE IS PROBABLY STILL ALIVE, HOWEVER.

4. ANDREI ASHER, A CHEMIST, WAS SENTENCED TO DEATH IN CONNECTION WITH CASE OF ALLEGED ECONOMIC CRIMES AGAINST STATE BROUGHT AGAINST AUSTRIAN FIRM. DEATH SENTENCE WAS RESCINDED ON APPEAL, IN MAY 1975, AND 20-YEAR PRISON TERM IMPOSED.

5. ROMANIAN PENAL CODE (ARTICLES 164 AND 165) PROVIDES PENALTY OF DEATH AND TOTAL SEIZURE OF PROPERTY FOR "SABOTAGE" (DEFINED AS ACT OF "FUNCTIONARIES OR SALARIED EMPLOYEES" WHICH CAUSES "ESPECIALLY GRAVE PERTURBATION" IN ACTIVITIES OF CERTAIN SPECIFIED ORGANIZATIONS OR "IMPORTANT NATIONAL ECONOMIC DAMAGE" WHICH "IN ANY WAY AFFECTS STATE SECURITY"; AND FOR "UNDERMINING THE NATIONAL ECONOMY" IN MANNER TO CAUSE "IMPORTANT NATIONAL ECONOMIC DAMAGES". IN ADDITION, DEATH PENALTY CAN THEORETICALLY BE INVOKED ALSO FOR "ACTS OF DIVERSION" (ARTICLE 163), "HOSTILE ACTS AGAINST THE STATE" (ARTICLE 158), "UNDERMINING STATE POWER" (ARTICLE 162), AND VARIOUS OTHER VERY ELASTIC "STATE SECURITY" CRIMES . SENTENCES CARRIED OUT UNDER THESE ARTICLE TEND TO BE UNDERPUBLICIZED. USUAL MODE OF EXECUTION APPEARS TO BE FIRING SQUAD.

6. FINALLY, REF HAS REPORTED FOLLOWING ROMANIAN DEATH SENTENCES ANNOUNCED IN RECENT YEARS:
-- V. CONSTANTIN, 1968, FOR KILLING HIS FOUR-YEAR OLD CHILD;
-- T. PETRISOR, 1968, FOR CAUSING ACCIDENT WHILE DRUNK ON DUTY;
-- M. STOICA, 1970, FOR KILLING HIS PREGNANT WIFE;
-- I. RAMARU, 1971, FOR THREE PARTICULARLY GRAVE MURDERS;
-- I. IRIMIA, 1972, FOR SETTING HOUSE ON FIRE AND CAUSING DEATH OF THREE PEOPLE.
BARNES

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